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REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed October 19, 2005. In the Office Action, the Examiner notes that claims 1-4, 6-17, 19 and 21 are pending of which claims 1-4, 6-9, 12-17 and 19 are rejected and claims 10, 11, and 21 are objected to.

In view of the following discussion, Applicant submits that none of the claims now pending in the application are anticipated or obvious under the respective provisions of 35 U.S.C. §102 and 103. Thus, Applicant believes that all of the pending claims are now in allowable form.

It is to be understood that Applicant does not acquiesce to the Examiner's characterizations of the art of record or to Applicant's subject matter recited in the pending claims. Further, Applicant is not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant response.

REJECTIONS**AFFIDAVIT UNDER 37 C.F.R. §1.131**

The Examiner has rejected claims 1, 2, 4, 6-9, 12-17 and 19 under 35 U.S.C. §102(a) as being anticipated by Doerr et al. (Opt. Fib. Comm. Conf., hereinafter "Doerr"). The Examiner has rejected claim 3 under 35 U.S.C. §103 as being obvious over Doerr.

Applicant submits that he conceived of the invention, and reduced the invention to practice, as presently claimed, prior to the publication date of Doerr article. In support of this submission, Applicant Christopher Richard Doerr encloses an executed declaration under 37 CFR 1.131, which declares a conception date for the invention claimed in the above-identified patent application to be on or before March 22, 2003, and showing that due diligence was exercised toward reducing the invention to practice. In view of this declaration, the Doerr article is not prior art to Applicant's invention.

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ALLOWABLE SUBJECT MATTER

The Examiner has objected to claims 10, 11 and 21 as being dependent upon a rejected base claim and indicated that these claims would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for indicating the allowable subject matter with respect to these claims. However, Applicant believes that amended base claims 1 and 17 (and all intervening claims) are in allowable form and, as such, dependent claims 10, 11 and 21, as they stand now, are therefore in allowable condition. Therefore, Applicant respectfully requests foregoing objections to claims 10, 11 and 21 be withdrawn.

CONCLUSION

Thus, Applicant submits that none of the claims presently in the application are anticipated or obvious under the respective provisions of 35 U.S.C. §102 and §103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Michael Bentley at (732) 383-1434 or Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: 2/9/08

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